

# **EXHIBIT 6**

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

No: 08-3302

Deanthony Thomas, et al.,

Appellants

v.

US Bank National Association ND, et al.,

Appellees

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Appeal from U.S. District Court for the Western District of Missouri - St. Joseph  
(5:04-cv-06098-HFS)

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**ORDER**

The order entered on April 2, 2009, granting the motion to substitute the Federal Deposit Insurance Corporation (FDIC) for the failed bank party PFF Bank, is hereby withdrawn as having been improvidently granted before allowing the opposing party an opportunity to respond to the motion. After considering appellants' response to the substitution motion, such motion is now at this time denied. The pending motion to dismiss the FDIC as a party is therefore rendered moot.

August 07, 2009

Order Entered at the Direction of the Court:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Michael E. Gans